

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: *J. Prudent et al.*

Serial No.:

Group No.:

Filed:

Examiner:

Entitled:

INVASIVE CLEAVAGE OF NUCLEIC ACIDS



**PETITION TO MAKE SPECIAL UNDER
37 C.F.R. §1.102**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service as "Express Mail Post Office to Addressee" under Express Mail Label No. EL 837 033 803 US in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: February 22, 2002

By: _____

Mary Ellen Waite

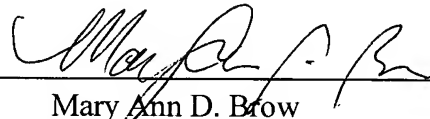
Sir or Madam:

In accordance with the provisions of 37 C.F.R. §1.102, Applicants hereby petition to have this application made special, to advance the examination because of infringement of claims. There is an infringing method in use. A rigid comparison of the infringing method with the claims of this application has been made, and it is Applicants' opinion that at least Claim 42, as amended by the enclosed Preliminary Amendment, is unquestionably infringed. This petition is accompanied by the petition fee set forth in 37 C.F.R. §1.17(h).

A careful and thorough search of related and prior art has been made. A list of the references deemed most closely related to the subject matter encompassed by the claims is included in an Information Disclosure Statement accompanying this Application. Copies of each reference not already of record in the parent case are attached thereto. These references may be

material to the examination of the above-identified application and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application. None of these references disclose methods of detecting or characterizing nucleic acids based on the cleavage of invasive cleavage structures comprising nucleotide analogs.

Dated: February 22, 2002



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